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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

Chapter 7

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF CHAPTER 7
TRUSTEE'S MOTION FOR ORDER
APPROVING SETTLEMENTS**

Pursuant to Rule 201 of the Federal Rules of Evidence, the Trustee respectfully requests that the Court take judicial notice of the following documents, which are organized in chronological order, in considering the Trustee's Motion for Order Approving Settlements, filed herewith.

The table below lists the documents subject to this request.

RJN No.	Document, Date, Caption, Court, Case No., ECF
1.	Class Action Complaint, December 28, 2017, <i>StormsMedia LLC v. Giga Watt, Inc. et al.</i> , U.S. District Court, E.D. WA ("District Court"), Case No. 2:2017-cv-00438-SJM, ECF No. 1

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RJN No.	Document, Date, Caption, Court, Case No., ECF
2.	Complaint, March 19, 2018, <i>Moss v. Giga Watt, Inc., et al.</i> , District Court, Case No. 2:2018-cv-00100-SAB, ECF No. 1
3.	Class Action Complaint for Violation of Section 12(a)(1) and 15(a) of the Securities Act of 1933, March 20, 2018, <i>Balestra v. Giga Watt, Inc., et al.</i> , District Court, Case No. 2:2018-cv-00103-SAB, ECF No. 1
4.	Class Action Complaint, October 2, 2018, <i>Sofair v. Giga Watt, Inc., et al.</i> , District Court, Case No. 2:18-cv-00308-SMJ, ECF No. 1
5.	Consolidated Class Action Complaint for Violation of the Federal Securities Laws, October 24, 2018, <i>McVicker v. Giga Watt, Inc., et al.</i> , District Court, Case No. 2:18-cv-00103-SAB (Consolidated with No. 2:18-cv-00100), ECF No. 22
6.	Voluntary Petition for Relief Under Chapter 11, November 19, 2018, Bankruptcy Court, Case No. 18-03197, ECF No. 1
7.	Jun Dam's Proof of Claim, February 14, 2019, Bankruptcy Court, Case No. 18-03197, Claim No. 52-1
8.	Refael Sofair's Proof of Claim, February 15, 2019, Bankruptcy Court, Case No. 18-03197, Claim No. 70-1
9.	Audio: Hearing on Trustee's Motion for Preliminary Injunction, May 24, 2019, <i>Waldron v. Carlson</i> , Bankruptcy Court, Adv. Proc. No 19-80012, ECF No. 60

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RJN No.	Document, Date, Caption, Court, Case No., ECF
10.	<i>Order: (i) Approving the Sale of Moses Lake Equipment and Related Relief, (ii) Approving Bid Procedures, and (iii) Shortening Time to Object</i> , October 20, 2020, Bankruptcy Court, Case No. 18-03197, ECF No. 765
11.	Verified Complaint, November 19, 2020, <i>Waldron v. Perkins Coie LLP, et al.</i> , Bankruptcy Court, Adv. Proc. No. 2:20-ap-80031-FPC, ECF No. 1 (sealed), ECF No. 6 (redacted; not sealed) ¹
12.	Class Action Complaint, December 16, 2020, <i>Dam v. Perkins Coie LLP et al.</i> , District Court, Case No. 2:20-cv-464-SAB, ECF No. 1
13.	Order Granting Motion to Strike Jury Demand, April 22, 2021, Bankruptcy Court, Adv. Proc. No. 20-80031, ECF No. 49
14.	Order Denying Motion to Compel Arbitration and Stay, April 22, 2021, Bankruptcy Court, Adv. Proc. No. 20-80031, ECF No. 51
15.	Memorandum Opinion and Order Regarding Stay and Motion for Order to Show Cause (“Automatic Stay Order”), September 27, 2021, Bankruptcy Court, ECF No. 921

¹ The caption incorrectly states, “amended,” due to a clerical error. The complaint, ECF No. 6, is not an amended complaint.

RJN No.	Document, Date, Caption, Court, Case No., ECF
16.	Order Denying Motions and Appeals, January 7, 2022, <i>Perkins Coie LLP, et al. v. Waldron</i> , District Court, Case No. 2:21-cv-00159-SAB, ECF No. 21
17.	Notice of Appeal to the United States Court of Appeals for the Ninth Circuit, District Court, Case No. 2:21-cv-00159-SAB, ECF No. 23
18.	Order Denying Mr. Dam's Motion to Dismiss and Granting Trustee's Motion for Preliminary Injunction ("Preliminary Injunction Order"), February 23, 2022, <i>Waldron v. Dam</i> , Bankruptcy Court, Adv. Proc. No. 21-80053, ECF No. 38
19.	Order Granting Motion to Consolidate Appeals, <i>Dam v. Waldron</i> , District Court, April 19, 2022, Case No. 2:21-cv-0291-SAB, ECF 19
20.	Trustee's Motion for Authority to Incur and Pay Expenses Incident to Discovery in Perkins Adversary, April 20, 2022, Bankruptcy Court, Case No. 18-03197, ECF No. 946
21.	Motion to Modify the Preliminary Injunction Order, May 20, 2022, <i>Waldron v. Dam</i> , Bankruptcy Court, Adv. Proc. No. 21-80053, ECF No. 59
22.	Appellee Chapter 7 Trustee's Motion to Dismiss Appeal for Lack of Jurisdiction, May 27, 2022, District Court, Case No. 2:21-cv-00291-SAB, ECF No. 24

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RJN No.	Document, Date, Caption, Court, Case No., ECF
23.	Appellant's Opening Brief, June 9, 2022, <i>Dam v. Waldron</i> , District Court, Case No. 2:21-cv-00291-SAB (EDWA), ECF No. 37
24.	Appellee Chapter 7 Trustee's Motion to Strike Noncomplying Portions of Statement of the Case, June 30, 2022, <i>Dam v. Waldron</i> , District Court, Case No. 2:21-cv-00291-SAB, ECF No. 48
25.	Appellee Chapter 7 Trustee's Motion for Sanctions, July 2, 2022, <i>Dam v. Waldron</i> , District Court, Case No. 2:21-cv-291-SAB, ECF No. 49
26.	Trustee's Motion to Amend Complaint and Notice, September 26, 2022, <i>Waldron v. Perkins Coie LLP, et al.</i> , Bankruptcy Court, Adv. Proc. No. 20-80031-FPC, ECF No. 115
27.	Perkins' and Ness' Opposition to Trustee's Motion to Amend Complaint, October 17, 2022, <i>Waldron v. Perkins Coie LLP, et al.</i> , Bankruptcy Court, Adv. Proc. No. 20-80031-FPC, ECF No. 120
28.	Order Granting Trustee's Motion to Amend Complaint, Motions to Take Judicial Notice and Denying Motion to Strike Cromwell Affidavit, November 23, 2022, <i>Waldron v. Perkins Coie LLP, et al.</i> , Bankruptcy Court, Adv. Proc. No. 20-80031-FPC, ECF No. 134
29.	First Amended Complaint, November 23, 2022, <i>Waldron v. Perkins Coie LLP, et al.</i> , Bankruptcy Court, Adv. Proc. No. 20-80031, ECF No. 135

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RJN No.	Document, Date, Caption, Court, Case No., ECF
30.	Videotape: Oral Argument at 00:32:51-00:33:00 , <i>Waldron v. Perkins</i> , U.S. Court of Appeals, 9 th Cir., December 7, 2022, Case No. 22-35104, ECF No. 51
31.	Perkins Coie and Lowell Ness' Answer, and Affirmative Defenses to First Amended Complaint and Third-Party Complaint Against Jun Dam and a Class of Similarly Situated Token Purchasers, December 7, 2022, <i>Waldron v. Perkins</i> , Bankruptcy Court, Adv. Proc. No. 20-80031-FPC, ECF No. 139
32.	Trustee's Motion to Dismiss Third-Party Complaint for Misjoinder, <i>Waldron v. Perkins Coie LLP, et al.</i> , December 13, 2022, Bankruptcy Court, Adv. Proc. No. 20-80031-FPC, ECF No. 141
33.	Trustee's Motion to Find the Perkins Group in Contempt and to Impose Sanctions, December 13, 2022, Bankruptcy Court, Case No. 18-03197, ECF No. 970
34.	Memorandum (dismissing arbitration appeal as moot), December 23, 2022, <i>Waldron v. Perkins Coie LLP, et al.</i> , U.S. Court of Appeals for the Ninth Circuit ("Court of Appeals"), Case No. 22-35104, ECF No. 52-1
35.	Order (staying appeal pending decision in Coinbase), January 19, 2023, <i>Waldron v. Perkins Coie LLP, et al.</i> , Court of Appeals, Case No. 22-35104, ECF No. 56

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RJN No.	Document, Date, Caption, Court, Case No., ECF
36.	Order Granting Trustee's Motion for Authority to Pay Expenses Incident to Discovery in Perkins Adversary Pending Settlement Negotiations, May 5, 2023, Bankruptcy Court, ECF No. 1005
37.	Order (supplemental briefing), June 30, 2023, <i>Waldron v. Perkins</i> , Court of Appeals, Case No. 22-35104, ECF No. 57
38.	Order (remanding case to District Court for settlement purposes and withdrawing supplemental briefing schedule), July 12, 2023, <i>Waldron v. Perkins Coie LLP, et al.</i> , Court of Appeals, Case No. 22-35104, ECF No. 60

The foregoing documents fit squarely within the ambit of Evidence Rule 201, which provides, "The Court may judicially notice a fact that is not subject to reasonable dispute because it: . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." F.R.E. 201. *See also Metropolitan Creditors' Trust v. Pricewaterhouse-Coopers, LLP*, 463 F. Supp. 2d 1193, 1197–98 (E.D. Wash. 2006) ("[I]t is standard for a court to take judicial notice of the existence of another court's opinion.") (citing *Cal. ex rel. RoNo, LLC v. Altus Fin. S.A.*, 344 F.3d 920, 931 (9th Cir. 2003) and *Lee v. City of Los Angeles*, 250 F.3d 668, 690 (9th Cir. 2001)).

The Court may also take judicial notice of its own docket. *See State Bank of San Pedro v. Marincovich (The Golden Gate)*, 286 F. 105, 106 (9th Cir. 1923)

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1 (“Every court takes judicial notice of its own records in the same case.”)
2 (admiralty case); *In re Blumer*, 95 B.R. 143, 146 (B.A.P. 9th Cir. 1988).

3 To determine the accuracy of the documents subject to this Request, one
4 need only review the dockets of this Court, the U.S. District Court for the Eastern
5 District of Washington, and the U.S. Court of Appeals for the Ninth Circuit.

6 Finally, the Trustee is not asking the Court to accept or reject the truth (or
7 falsity) of the arguments or assertions made in the documents that are the subject
8 of this Request. The Trustee is only asking that the Court take judicial notice of
9 the existence of the arguments, motions, Orders, and opinions. Their authenticity
10 is not subject to reasonable dispute.

11 Wherefore, the Trustee respectfully request that the Court grant this
12 Request for Judicial Notice.

13 Dated: August 28, 2023 POTOMAC LAW GROUP PLLC

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15 By: s/ Pamela M. Egan
16 Pamela M. Egan (WSBA No. 54736)
17 *Attorneys for Mark D. Waldron, Chapter 7*
18 *Trustee*
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